

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/020,565 Confirmation No. 3405
Applicant : Joseph W. Lyding et al.
Filed : January 16, 1998
Patent No. : 6,147,014
Issued : November 14, 2000
Group Art Unit : 2823
Examiner : LEE, HSIEN MING
For : Forming of Deuterium Containing Nitride Spacers and Fabrication of Semiconductor Devices
Docket No. : 56-08B
Customer No. : 23713

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF EFS-WEB FILING

I hereby certify that this correspondence is being submitted via the USPTO EFS-WEB system on the date indicated below.

December 3, 2012
Date

/laurasedlacek/
Laura Sedlacek

**REQUEST FOR CORRECTION OF ERROR IN ENTITY STATUS AND ACCEPTANCE
OF DEFICIENCY PAYMENT UNDER 37 C.F.R. 1.28(c)**

Sir:

Applicants respectfully request excuse of an error in small entity status for the above-identified patent and acceptance of payment of a deficiency in fees under 37 C.F.R. § 1.28(c).

Statement of the Facts

The following is based on information and belief and is based, at least in part, on review of available items of record according to the US Patent Office.

The above-referenced patent was filed on January 16, 1998, and issued on November 14, 2000, without establishing small entity status. Fees for a large entity were paid upon filing, throughout prosecution and at issuance.

The 3.5 Year Maintenance Fee was subsequently paid on April 19, 2004 in an amount of \$455 due for a small entity, and small entity status was established in good faith in connection with this payment.

A correction of entity status was filed on July 16, 2010, notifying the Office that small entity status was no longer claimed. The 7.5 year maintenance fee was paid in an amount of \$2,480 for a large entity and the 11.5 year maintenance fee was paid in an amount of \$4,730 for a large entity.

It has since later been discovered that small entity status was established in error for the payment of the 3.5 year maintenance fee on April 19, 2004.

Correction of Error in Entity Status Pursuant to C.F.R. 1.28(c)

Applicants respectfully request that all errors in small entity status be excused and hereby authorize payment of all deficiencies in the fees for the above-identified application. Fee deficiencies in connection with the 3.5 year maintenance fee erroneously paid for a small entity are being submitted with this request. If this is incorrect, or as necessary, the Office is hereby authorized to charge all deficiencies owed for this application.

In compliance with 37 CFR § 1.28(c), Applicants submit herewith payment in the amount of \$695.00. Pursuant to 37 C.F.R. §§ 1.28(c)(i) and 1.28(c)(ii), the following deficiency calculation and itemization information is provided.

Itemization of the Deficiency Payment

Item No.	Filing Date of Fee	Type of Fee Paid	Column A: Current Fee Amount as a Large Entity	Column B: Fee Amount Originally Paid	Deficiency Amount Owed (Col. A minus Col. B)
1	04/19/2004	3.5 Year Maintenance Fee	\$1150	\$455	\$695
		Totals	\$1150	\$455	\$695

Calculation of Deficiency Payment

The deficiency owed is the difference between the Total of Column A: Current Fee Amount as a Large Entity (\$1150 for 3.5 Year Maintenance Fee) and the Total of Column B: Amount Originally Paid (\$455 for 3.5 Year Maintenance Fee). In this case, the Deficiency Owed is \$695.00.

Submitted herewith is a Fee Transmittal Form PTO/SB/17 (03-12) authorizing the Director to deduct \$695 for the deficiency owed from Deposit Account No. 07-1969. If this amount is not correct, or as otherwise necessary, please charge any deficiency or credit any overpayment for this submission to Deposit Account No. 07-1969.

Respectfully submitted,

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